

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

RANDI BYERS, REBECCA FARRIS  
individually, and as representatives  
of a class of similarly situated  
persons,

3:12-CV-01125-PK

ORDER

Plaintiffs,

v.

USAA CASUALTY INSURANCE COMPANY,  
a foreign insurance company doing  
business in the State of Oregon;  
UNITED SERVICES AUTOMOBILE ASSOCIATION,  
a foreign intra-insurance company doing  
business in the State of Oregon; USAA  
GENERAL INDEMNITY COMPANY, a foreign  
insurance company doing business  
in the State of Oregon; USAA COUNTY  
MUTUAL INSURANCE COMPANY, a foreign  
insurance company doing business in  
the State of Oregon; GARRISON PROPERTY  
AND CASUALTY INSURANCE COMPANY, a  
foreign insurance company doing business  
in the State of Oregon; and JOHN DOES I-XX,

Defendants.

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**BROWN, Judge.**

Magistrate Judge Paul Papak issued a Findings and Recommendation (#39) on September 28, 2012, in which he recommends the Court **GRANT** Plaintiffs' Motion (#22) for Voluntary Dismissal without prejudice, **DENY as moot** Defendants' Motion (#17) to Dismiss, **DENY as moot** Motions (#30, #31, #32) for Leave to Appear *Pro Hac Vice*, and **DISMISS** this case **without prejudice**.

This matter is before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

**STANDARDS**

Because no objection to the Magistrate Judge's Findings and Recommendations (#39) was timely filed by any party, this Court is relieved of its obligation to review the record *de novo*. See *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003)(*en banc*). See also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9<sup>th</sup> Cir. 1988). The Court has reviewed the legal principles *de novo* and does not find any error.

**CONCLUSION**

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#39) and, accordingly, **GRANTS** Plaintiffs' Motion (#22) for Voluntary Dismissal without prejudice, **DENIES as moot** Defendants' Motion (#17) to Dismiss, **DENIES as moot** Plaintiffs' Motions (#30, #31, and #32) for Leave to Appear *Pro Hac Vice*, and **DISMISSES** this matter **without prejudice**.

IT IS SO ORDERED.

DATED this 16<sup>th</sup> day of November, 2012.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge